

Inventor: James J. Fitzgibbon  
Appln. No.: 09/925,867  
Filed: August 9, 2001  
Title: Method and Apparatus for Rolling  
Code Learning Transmitter

Docket No. 5569/71860

Mailed: 8/31/05

Amendment Transmittal (in duplicate); Response to Office Action dated June 15, 2005;  
Amendment B (12 pgs.);  
Letter to the Official Draftsperson with 1 pg. drawing;  
Submission of corrected formal drawing with 1 pg. drawing;  
Return Post card

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Sir:

Please acknowledge receipt of the above-identified documents by applying the  
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Respectfully,

FITCH, EVEN, TABIN & FLANNERY

Inventor: James J. Fitzgibbon  
Appln. No.: 09/925,867  
Filed: August 9, 2001  
Title: Method and Apparatus for Rolling  
Code Learning Transmitter

Docket No. 5569/71860

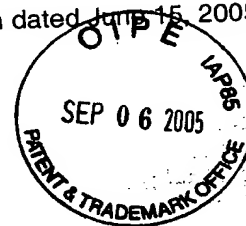
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Respectfully,

FITCH, EVEN, TABIN & FLANNERY

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: 09/925,867 )  
 Filed: 08/09/2001 )  
 Applicant(s): James J. Fitzgibbon )  
 Title: Method and Apparatus for Rolling )  
           Code Learning Transmitter )  
 Art Unit: 2635 )  
 Examiner: Kimberly Yvette Jenkins )  
 \_\_\_\_\_ )  
 Attorney Docket: 5569/71860 )  
 Customer No.: 22242 )

**Confirmation No. 3851**

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

08/31/05  
Date

Kenneth H. Samples  
 Kenneth H. Samples  
 Registration No. 25,747  
 Attorney for Applicant(s)

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**DOCKETED**  
 SEP 02 2005  
 BY [Signature]

Sir:

Transmitted herewith is an amendment/reply in the above-identified application.

- ☒ A letter to the Official Draftsman including a marked-up copy of FIG. 5 is enclosed.
- ☒ A Submission of Corrected Formal Drawing including a replacement sheet for FIG. 5 is enclosed.
- ☐ No additional fee is required.

**Fee Calculation For Claims As Amended**

	As Amended	Previously Paid For	Present Extra	Rate	Additional Fee
Independent Claims	1	3	** = 0	x \$ 200.00	= \$ 0.00
Total Claims	1	20	* = 0	x \$ 50.00	= \$ 0.00
Fee for Multiply Dependent Claims				\$ 360.00	
** At least 3			Total Additional Fee		\$ 0.00
* At least 20					

☒ Priority of application number 2004-273436 filed on September 21, 2004 in Japan is claimed under 35 U.S.C. § 119.

☒ A certified copy of the priority document is enclosed.

☐ This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is hereby incorporated herein by reference in its entirety.

☐ A Computer Program Listing Appendix is enclosed.

☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.

☐ Two (2) Compact Discs are enclosed.

☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

☐ A Computer Readable Copy is enclosed.

☐ A Paper Copy (Identical to Computer Copy) is enclosed.

☐ A Statement Verifying Identity of above Copies is enclosed.

☒ The fees are calculated below:

Basic Filing Fee						\$ 300.00
Independent Claims	3	-	3	=	0	x \$ 200.00 = \$ 0.00
Total Claims	20	-	20	=	0	x \$ 50.00 = \$ 0.00
Fee for Multiple Dependent Claims						\$ 360.00
Application Size Fee for each additional 50 sheets that exceeds 100 sheets				0	x	\$ 250.00 = \$ 0.00
Search Fee						\$ 500.00 \$ 500.00
Examination Fee						\$ 200.00 \$ 200.00
Total Fees						\$ 1,000.00

☐ Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), reducing the Total Fees by half to: \_\_\_\_\_

☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

☒ Charge \$1,000.00 to Deposit Account No. 06-1135.

☐ The payment of the above fees is to be deferred until the Declaration is filed. Do not charge our Deposit Account.

Application No. 09/925,867  
Amendment dated August 31, 2005  
Reply to Office Action of June 15, 2005

☐ Applicant(s) assert entitlement to Small Entity Status  
(37 C.F.R. § 1.27), thus reducing the fee by half to:

\$ 0.00

☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 06-1135.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

August 31, 2005

Date

Kenneth H. Samples

Kenneth H. Samples

Registration No. 25,747

FITCH, EVEN, TABIN & FLANNERY  
120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: 09/925,867

Applicants: James J. Fitzgibbon

Filed: August 9, 2001

For: METHOD AND APPARATUS FOR  
ROLLING CODE LEARNING  
TRANSMITTER

TC/A.U.: 2635

Examiner: Kimberly Yvette Jenkins

Docket No.: 5569/71860

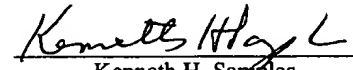
Customer No.: 22242

Confirmation No. 3851

**CERTIFICATE OF MAILING**

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8/31/05  
Date

  
Kenneth H. Samples  
Registration No. 25,747  
Attorney for Applicant(s)

**AMENDMENT B**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated June 15, 2005 as entered in the above-captioned matter, the applicant respectfully submits the following amendment and response.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begin on page 5 of this paper.

**Amendments to the Drawings** begin on page 10 of this paper and include two attached sheets.

**Remarks/Arguments** begin on page 11 of this paper.

Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
Reply to Office Action of June 15, 2005

**Amendments to the Specification**

**Please amend the paragraph beginning at line 33 of page 4 to read as follows:**

~~FIG. 6~~ FIGS. 6A and 6B ~~is a~~ are schematic diagram[s] of the controller shown in block format in FIG. 3;

**Please amend the paragraph beginning at line 3 of page 5 to read as follows:**

Referring now to the drawings and especially to FIG. 1, more specifically a movable barrier door operator, or garage door operator is generally shown therein and referred to by numeral 10 includes a head unit 12 mounted within a garage 14. A barrier moving activating receiver 80 (shown in FIG. 2) includes a routine for responding to rolling access codes. The access code routine, when used with other routines and apparatus of the system, is capable of properly learning and responding to received access codes. An access code learning device of the receiver 80 (shown in FIG. 2) enables an access code learning mode of operation. When the access code learning mode is entered and a rolling access code is first received and learned, the rolling access routine is executed to control the opener and to learn new rolling access codes. More specifically, the head unit 12 is mounted to the ceiling of the garage 14 and includes a rail 18 extending therefrom with a releasable trolley 20 attached having an arm 22 extending to a multiple paneled garage door 24 positioned for movement along a pair of door rails 26 and 28. The system includes a hand-held transmitter unit 30 adapted to send signals to an antenna 32 positioned on the head unit 12 and coupled to the receiver 80 (shown in FIG. 2) as will appear hereinafter, and a learning transmitter 31. In this description the transmitter 30, which is the transmitter already known to the operator, is called the original transmitter, and the transmitter 31 is called the learning transmitter. An external control pad 34 is positioned on the outside of the garage having a plurality of buttons thereon and communicate via radio frequency transmission with an antenna 32 of the head unit 12. A switch module 39 is mounted on a wall of the garage. The switch module 39 is connected to the head unit 12 by a pair of wires 39a. The switch module 39 includes a light switch 39b, a lock switch 39c and a command switch 39d. An optical emitter 42 is connected

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Amendment B Dated: August 31, 2005  
Reply to Office Action of June 15, 2005

via a power and signal line 44 to the head unit 12. An optical detector 46 is connected via a wire 48 to the head unit 12.

**Please amend the paragraph beginning at line 25 of page 6 to read as follows:**

The garage door operator 10 with the head unit 12 is shown in FIG. 3. It has a controller 70 and antenna 32. The controller 70 includes a power supply 72 which receives alternating current from an alternating current source, such as 110 volt AC, and converts the alternating current to required levels of DC voltage. The controller 70 also includes a super-regenerative receiver 80 (shown in FIG. 5) coupled via a line 82 (shown in FIG. 6A) to supply demodulated digital signals to a microcontroller 84. The receiver 80 is energized by the power supply 72. The microcontroller is also coupled by a bus 86 to a non-volatile memory 88, which non-volatile memory stores user codes, and other digital data related to the operation of the control unit. An obstacle detector 90, which comprises the emitter 42 and infrared detector 46 is coupled via an obstacle detector bus 92 to the microcontroller. The obstacle detector bus 92 includes lines 44 and 48. The wall switch 39 is connected via the connecting wires 39a to the microcontroller 84. The microcontroller 84, in response to switch closures and received codes, will send signals over a relay logic line 102 to a relay logic module 104 connected to an alternating current motor 106 having a power take-off shaft 108 coupled to the transmission 18 of the garage door operator 10. A tachometer 110 is coupled to the shaft 108 and provides an RPM signal on a tachometer line 112 to the microcontroller 84; the tachometer signal being indicative of the speed of rotation of the motor. The apparatus also includes up limit switches 93a and down limit switches 93b, which respectively sense when the door 24 is fully open or fully closed. The limit switches are shown in FIG. 3 as a functional box 93 connected to microcontroller 84 by leads 95.

**Please amend the paragraph beginning at line 31 of page 8 to read as follows:**

In a step 510, the next highest power of 3 is subtracted from the rolling code and a test is made in a step 512 to determine if the result is equal to zero. If it is,

the next most significant digit of the binary rolling code is incremented in a step 514, following which flow is returned to the step 510. If the result is not greater than 0, the next highest power of 3 is added to the rolling code in the step 516. In the step 518, another highest power of 3 is incremented and in a step 520, a test is determined as to whether the rolling code is completed. If it is not, control is transferred back to step 510. If it has, control is transferred to step 522 to clear the bit counter. In a step 524, the blank timer is tested to determine whether it is active or not. If it is not, a test is made in a step 526 to determine whether the blank time has expired. If the blank time has not expired, control is transferred to a step 528 in which the bit counter is incremented, following which control is transferred back to the decision step 524. If the blank time has expired as measured in decision step 526, the blank timer is stopped in a step 530 and the bit counter is incremented in a step 532. The bit counter is then tested for odd or even in a step 534. If the bit counter is not even, control is transferred to a step 536 where the bit of the fixed code bit counter divided by 2 is output. If the bit counter is even, the rolling code bit counter divided by 2 is output in a step 538. By the operation of 534, 536 and 538, the rolling code bits and fixed code bits are alternately transmitted. The bit counter is tested to determine whether it is set to equal to 80 in a step 540. If it is, the blank timer is started in a step 542. If it is not, the bit counter is tested for whether it is equal to 40 in a step 544. If it is, the blank timer is tested and is started in a step 544-[[543]]. If the bit counter is not equal to 40, control is transferred back to step 522.

**Please amend the paragraph beginning at line 5 of page 10 to read as follows:**

As shown in ~~Fig. 6~~ FIGS. 6A and 6B, microcontroller pin P31 is connected to tachometer 110 via conductor 112. When motor 106 is turning, pulses having a time separation proportional to motor speed are sent on conductor 112. The pulses on conductor 112 are repeatedly scanned by microcontroller 85 to identify if the motor 106 is rotating and, if so, how fast the rotation is occurring.



Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
Reply to Office Action of June 15, 2005

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of the claims in the application:

1. (Canceled)

2. (Previously presented) A method for automatically learning a rolling type access code from a learning transmitter by a barrier movement operator, comprising steps of:

- receiving by the barrier movement operator a first rolling type access code from a first transmitter, the first rolling access code having a fixed identification portion recognized by the operator;
- beginning a learn mode operation in response to receipt of the first rolling access code by the barrier movement operator;
- saving a representation of the first rolling type access code received from the first transmitter in the barrier movement operator;
- receiving the first rolling type access code from the first transmitter by the learning transmitter, and storing a representation of the first rolling type access code therein;
- receiving, by the operator, a second rolling type access code from the learning transmitter within a predetermined period of time after from receiving the first rolling type access code;
- comparing the second rolling type access code with the first rolling type access code saved in the operator;
- storing the representation of the second rolling type access code in the operator when the comparing step identifies that a predetermined relationship exists between the first rolling type access code and the second rolling type access code.

Application No. 09/925,867  
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3. (Previously presented) The method according to claim 2, comprising wherein, during the first receiving step, after operator receives the first access code for moving the barrier, the operator further receives a signal from the first transmitter to stop and stopping the barrier on a mid-travel position after the first receiving step level, and this barrier position is being recorded as a starting point for the learning process.
4. (Previously presented) The method in accordance with claim 2, wherein each of the first rolling type access code and the second rolling type access code comprises a rolling code portion and at least one fixed identification portion.
5. (Previously presented) The method in accordance with claim 4, wherein the first rolling type access code comprises a fixed identification portion recognized by the operator.
6. (Previously presented) The method according to claim 5, wherein said predetermined relationship exists when the second rolling type access code comprises substantially the same fixed identification portion as the first rolling type access code, and the second rolling type access code is next in sequence to the first rolling code access code.
7. (Original) The method according to claim 6, wherein the fixed identification portion is a transmitter number identification portion.
8. (Previously presented) The method according to claim 6, wherein the fixed identification portion is a transmitter type identification portion.
9. (Previously presented) The method according to claim 2, wherein, prior to receiving a first rolling transmitter access code by the operator, a barrier is closed while the first transmitter and the learning transmitter are placed between the barrier and the barrier movement operator.

10. (Previously presented) The method according to claim 9, wherein, after receiving the first rolling code from the first transmitter to open the barrier, the operator further receives a signal from the first transmitter to stop the barrier on a mid-travel level, and this barrier position is being recorded as a starting point for a learning mode.

11. (Previously presented) The method according to claim 10, wherein the second rolling code from the learning transmitter is being saved in the operator only if time between last operation of the barrier by the first transmitter and receipt of transmission from the learning transmitter by the operator is within some predetermined time limits.

12. (Previously presented) A method for automatically learning a new transmitter rolling type access code by a barrier movement operator, comprising steps of:

- sending a first rolling type access code from a previously known transmitter to the operator;
- starting an operator auto learn mode by activating the operator in response to the first rolling type access code received by the operator and saving the first rolling type access code in the operator;
- storing a representation of the first rolling code in a learning transmitter;
- within a predetermined time limit, receiving by operator, a second rolling type access code derived by the learning transmitter from the stored representation of the first rolling type access code; and
- saving the second rolling type access code in the operator, when both the second rolling type access code and the first rolling type access code saved in the operator have a correlated fixed identification portion, said fixed identification portion being recognizable by the operator, and the second rolling code is next in sequence to the first rolling code saved in the operator.

13. (Previously presented) The method according to claim 12, wherein the second rolling type access code further comprises an a type identification portion identifying the learning transmitter.

Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
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14. (Previously presented) The method according to claim 13, further comprising step of identifying, by operator, the second rolling type access code as coming from a learning transmitter.

15. (Original) The method according to claim 14, wherein the second transmitter access code is saved in the operator when identified as an access code received from a learning type transmitter within some predetermined time limits.

16. (Original) The method according to claim 15, wherein, after receiving the first access code from the previously known transmitter to move the barrier, the operator further receives a signal from the known transmitter to stop the barrier on a mid-travel level, and this barrier position is being recorded as a starting point for the auto learn mode.

17. (Previously presented) A barrier movement operator system, comprising:

- a receiver for receiving, learning and responding to transmitted rolling code type access codes;

- at least one trained transmitter for operating the system by transmitting a rolling code type access code to the receiver, the rolling code including a fixed identification portion recognized by the system;

- at least one learning transmitter for learning the rolling code type access code from said trained transmitter in order to operate the system;

- a controller for evaluating relationship between a learning transmitter rolling type access code and the a trained transmitter rolling type access code; and

- a timer to run time between last operation of the barrier by the trained transmitter and receipt of transmission from the learning transmitter by the system; and

- a device for providing a barrier movement in response to access codes received by the receiver.

18. (Previously presented) The operator system in accordance with claim 17, wherein the rolling type access code learned by the learning transmitter from the trained transmitter includes the fixed identification portion recognized by the system.

Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
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19. (Previously presented) The operator system according to claim 18, wherein the fixed identification portion of the rolling type access code is a trained transmitter number identification.

20. (Previously presented) The operator system according to claim 19, wherein the fixed identification portion of the rolling type access code is a transmitter type identification.

21. (Original) The operator system according to claim 17, wherein the controller is implemented using a programmable microcontroller.

22. (Canceled)

23. (Previously presented) A method for modifying a rolling type operation code for a barrier movement operator, comprising steps of:

- receiving by the operator a first rolling type operation code from an original learning a transmitter;
- beginning a learn mode of the operator upon receipt of the first rolling operation code
- saving the first rolling type operation code in the operator;
- modifying the first rolling type operation code by a learning transmitter;
- within a predetermined period of time from the first receiving step, receiving a the modified rolling type operation code from the learning transmitter, the modified rolling operation code having a predetermined relationship with the first rolling operation code;
- storing the modified rolling type operation code in the operator when received within a predetermined period of time after the beginning of the learn mode; and
- ending the learn mode the predetermined period of time after the beginning of the learn mode.

Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
Reply to Office Action of June 15, 2005

**Amendments to the Drawings**

Please approve the changes shown in red in the attached marked-up copies of FIG. 5.  
A separate letter to the Draftsperson indicating the same proposed drawing changes is also enclosed.

Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
Reply to Office Action of June 15, 2005

## **REMARKS**

### **I. Introduction**

Pursuant to the above-noted Office Action, the drawings have been objected to for minor informalities. Claim 1 is rejected under 35 U.S.C. § 102(b) given Treharne et al. (U.S. Patent No. 5,416,471) ("Treharne"). Claims 2-21 and 23 have been allowed. Applicant acknowledges and appreciates the Examiner's allowance of these claims, and in response, Applicant cancels independent claim 1 to place the case in condition for allowance. Applicant respectfully requests reconsideration and allowance from the Examiner.

As a preliminary matter, Applicant notes that the Examiner did not initial the 1449 form that was filed with the Supplemental Information Disclosure Statement filed on January 20, 2005. Applicant respectfully requests an initialed 1449 be included with the next Office Action as a record that the cited reference entitled, EP-0 651 119 B1 to Palatianos, has been considered by the Examiner. A copy of the PTO Form 1449 is attached.

### **II. Drawing Objection**

The drawings are objected to under 37 CFR § 1.84(p)(5) for minor informalities. Applicant acknowledges and appreciates the Examiner's indication of these minor informalities, which have been addressed through amendments to the specification and the drawings as indicated.

In response to line 200 (FIG. 5), Applicant amends FIG. 5 to include the numeral reference 200. For the receiver 80, Applicant notes that numeral reference 80 is found in FIG. 2 and amends page 5 to clarify as such. In regard to numeral references 105a, 105b, 107a, 107b, and 151, Applicant notes that these references are found in FIGS. 6A (105a, 105b, 107a, 107b) and 6B (151) (marked-up FIGS. 6A and 6B with references circled in red). Nonetheless, Applicant recognizes that FIGS. 6A and 6B have been erroneously referenced as FIG. 6. Accordingly, Applicant amends the specification to correct this minor informality.

In regard to numeral reference 82, Applicant notes that numeral reference 82 is found on page 6, line 29. Again, Applicant amends the specification to clarify that numeral reference 82 is found on FIG. 6A. For step 543 in FIG. 8B, Applicant amends page 9, line 12

Application No. 09/925,867  
Amendment B Dated: August 31, 2005  
Reply to Office Action of June 15, 2005

of the specification to correct the minor informality found by the Examiner. Accordingly, Applicant respectfully requests that the Examiner enter the proposed corrective changes and withdraw the objections to the drawings. A separate Letter to the Draftsperson indicating the same proposed drawing changes is also enclosed.

## **II. 35 U.S.C. § 102(b) Rejection of Claim 1**

### **A. Independent claim 1**

Claim 1 is rejected under 35 U.S.C. § 102(b) on the basis of Treharne. In light of the indicated allowable subject matter and to expedite prosecution, Applicant cancels independent claim 1 to place the present application in condition for allowance. The Examiner has stated that all remaining claims 2-21 and 23 are allowable. Accordingly, Applicant reserves the right to file continuing applications for the subject matter of canceled claim 1.


For all these reasons, Applicant respectfully submits that this application may be passed to allowance.

### **B. Conclusion**

There being no other objections to or rejections of the claims, Applicant respectfully submits that claims 2-21 and 23 may be passed to allowance.

Respectfully submitted,

Date: August 31, 2005

By:   
Kenneth H. Samples  
Registration No. 25,747

FITCH, EVEN, TABIN & FLANNERY  
120 South LaSalle, Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
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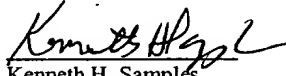
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: James J. Fitzgibbon )  
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Application No.: 09/925,867 )  
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Filed: August 9, 2001 )  
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Title: METHOD AND APPARATUS )  
FOR ROLLING CODE LEARNING )  
TRANSMITTER )  
)  
Group Art Unit: 2635 )  
)  
Examiner: Kimberly Yvette Jenkins )  
)  
\_\_\_\_\_)  
)  
Attorney Docket: 5569/71860 )  
)  
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Customer No.: 22242 )

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08/31/2005  
Date

  
Kenneth H. Samples  
Attorney for Applicant  
Registration No. 25,747

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER TO THE OFFICIAL DRAFTSPERSON**

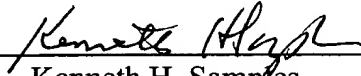
Dear Sir:

Please approve the changes shown in red in the attached marked-up copy of FIG. 5.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

By:

  
Kenneth H. Samples  
Registration No. 25,747

Date: August 31, 2005

120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603  
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Facsimile: (312) 577-7007

5/12

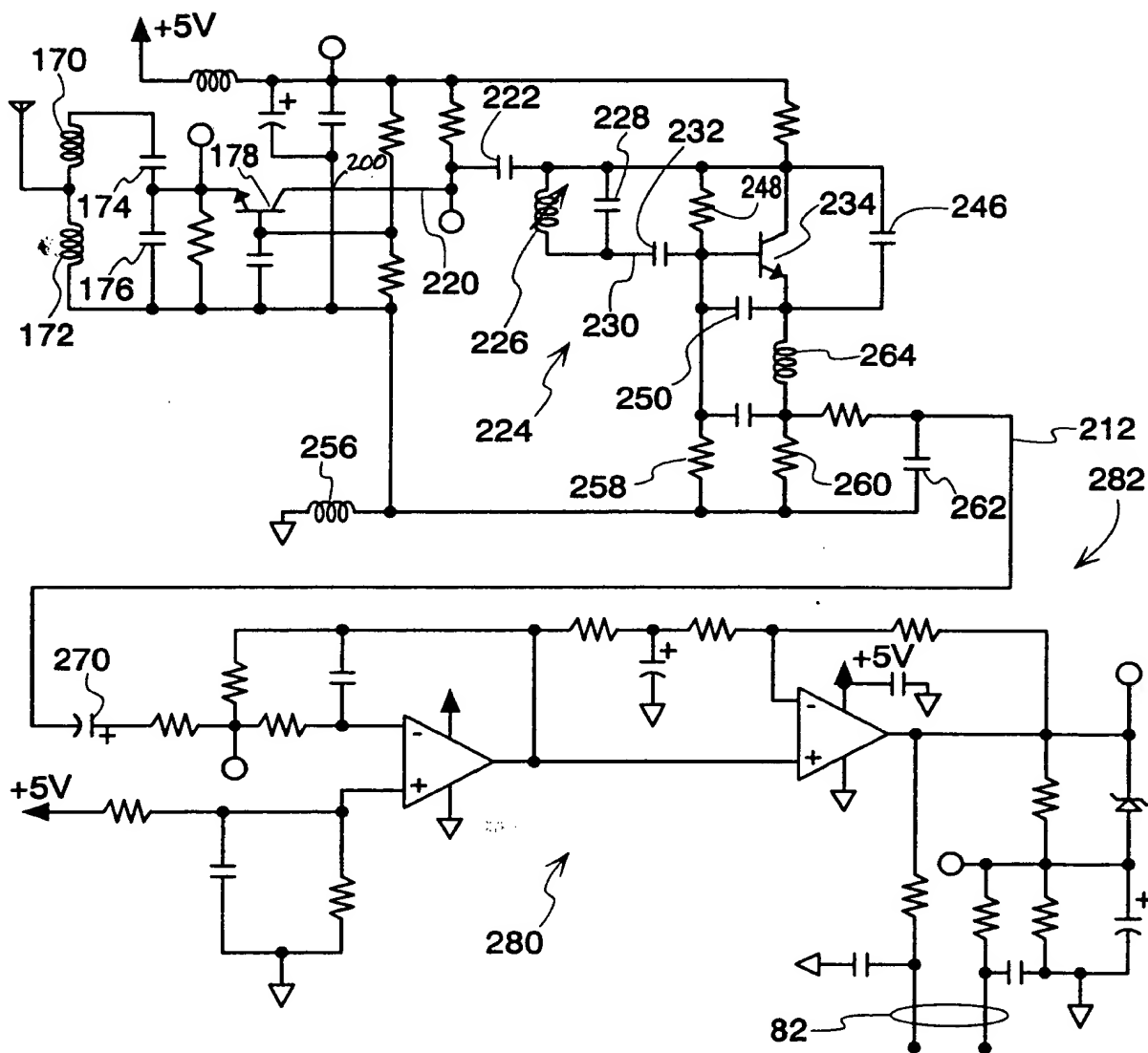


Fig. 5

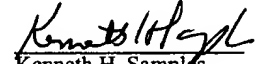
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James J. Fitzgibbon  
Application No.: 09/925,867  
Filed: August 9, 2001  
For: METHOD AND APPARATUS  
FOR A ROLLING CODE  
LEARNING TRANSMITTER  
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Attorney Docket: 5569/71860  
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08/31/2005  
Date

  
Kenneth H. Samples  
Attorney for Applicant  
Registration No. 24,747

Mail Stop AMENDMENT  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

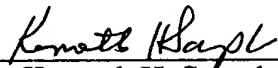
SUBMISSION OF CORRECTED FORMAL DRAWING

Sir:

Please substitute the enclosed sheet (1) of formal drawing containing FIG. 5 for the drawing originally submitted with the above-identified application.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By   
Kenneth H. Samples  
Registration No. 25,747

Date: 8/31/05

120 South LaSalle Street  
Suite 1600  
Chicago, Illinois 60603  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

5/12

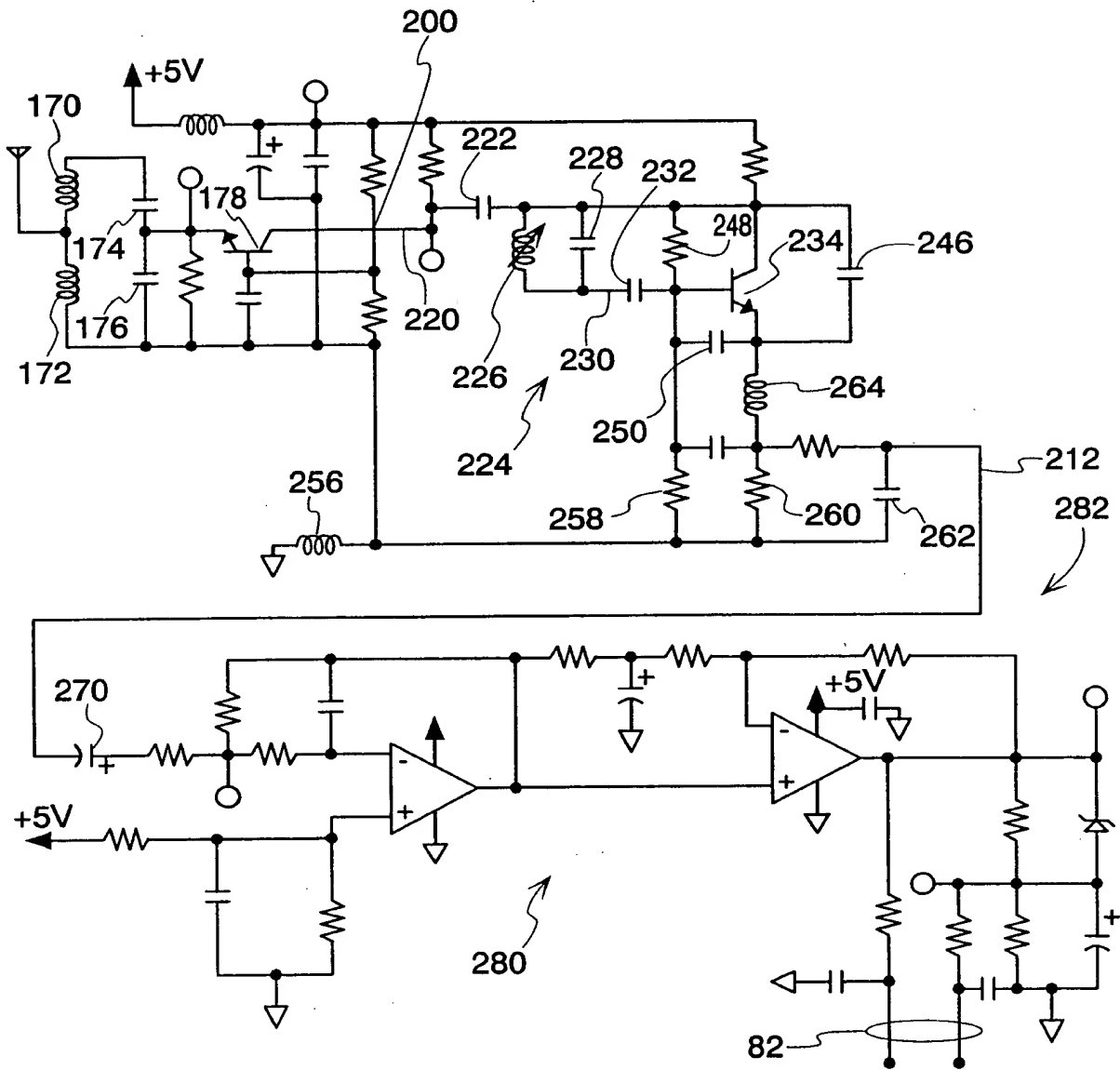


Fig. 5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

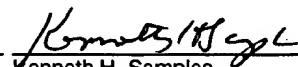
Appln No.: 09/925,867 )  
Filed: August 9, 2001 )  
Applicant(s): James J. Fitzgibbon )  
Title: METHOD AND APPARATUS FOR )  
A ROLLING CODE LEARNING )  
TRANSMITTER )  
Art Unit: 2122 )  
Examiner: )  
\_\_\_\_\_)  
Attorney Docket: 71860 )  
Customer No.: 22242 )

Confirmation No. 3851

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

1/12/05  
Date

  
Kenneth H. Samples  
Registration No. 25,747  
Attorney for Applicant(s)

**PETITION FOR EXTENSION OF TIME**

Applicant(s) hereby petition(s) under 37 CFR §1.136(a) for an extension of time for reply in the above-identified application for the period required to make the accompanying reply timely, or, if there be no accompanying reply, for the period for which the fee is indicated or the period necessary to prevent abandonment of the above-identified application if longer than the period for which the fee is indicated.

Extension fee for reply within first month:

- ☐ By a small entity (§1.9(f)) ..... \$ 60.00  
☐ By other than a small entity ..... \$ 120.00

Extension fee for reply within second month:

- ☐ By a small entity (§1.9(f)) ..... \$ 225.00  
☐ By other than a small entity ..... \$ 450.00

Extension fee for reply within third month:

- ☐ By a small entity (§1.9(f)) ..... \$ 510.00  
☒ By other than a small entity ..... \$1,020.00

Extension fee for reply within fourth month:

- ☐ By a small entity (§1.9(f)) ..... \$ 795.00  
☐ By other than a small entity ..... \$1,590.00

Extension fee for reply within fifth month:

- ☐ By a small entity (§1.9(f)) ..... \$1,080.00  
☐ By other than a small entity ..... \$2,160.00  
.....

Application No. 09/925,867  
Reply to Office Action of July 14, 2004

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the extension fee is enclosed.
- ☒ Charge \$ 1,020.00 to Deposit Account No. 06-1135.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

1/12/05  
Date

Kenneth H. Samples  
Kenneth H. Samples  
Registration No. 25,747

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